

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1321 - SB 1434

February 17, 2023

SUMMARY OF BILL: Authorizes a school bus driver to use a portable electronic device for navigation of the school bus under certain conditions.

FISCAL IMPACT:

Other Fiscal Impact – Due to multiple unknown variables, the extent and timing of any permissive increase in local expenditures cannot reasonably be determined.

Assumptions:

- Tennessee Code Annotated § 55-8-192(a) prohibits the use of portable electronic devices by school bus drivers while the vehicle is in motion and while the vehicle is transporting children or when the vehicle is stopped for the purposes of loading or unloading children from the vehicle.
- Tennessee Code Annotated § 55-8-192(c) provides an exemption on the use of portable electronic devices, and allows a device used for two-way radio communications made to and from a central dispatch or school transportation department or a device capable of voice communication to report an emergency.
- The proposed legislation expands the exemption to allow school bus drivers to use global positioning system (GPS) devices if:
 - Neither of the driver's hands are used to hold the device or to enter data into the device while the school bus is in motion;
 - The device is mounted on the school bus's windshield, dashboard, or center console area in a manner that does not hinder the driver's view of the road; and
 - The driver views only data related to the navigation of the school bus.
- State Board of Education (SBE) policy establishes that devices or equipment that were not provided and installed by the original equipment manufacturer at the time of delivery shall not be installed in the windshield area of any type of school bus.
- SBE will be required to update its policy upon passage of the legislation and will be able to do so during the normal course of business and within existing resources.
- The proposed legislation does not require LEAs to purchase or install GPS units on school buses. In the event that an LEA chooses to install GPS units on its school buses, a permissive increase in local expenditures will occur; however, due to multiple unknown variables, the extent and timing of any such increase cannot reasonably be determined.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

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